

**STATEMENT OF
CHAIRMAN AJIT PAI**

Re: *Kenneth Moser dba Marketing Support Systems, EB-TCD-18-00028267*

One week before last year's California primary election, residents of the 76th State Assembly District outside of San Diego received a robocall describing in graphic terms a sexual assault allegedly committed by one of the candidates running for an open Assembly seat. But the allegation was false. It had already been disproven by law enforcement. It was a malicious smear.

The FCC doesn't (and shouldn't) have the authority to police truthfulness in political campaigns. But we can police unlawfully spoofed robocalls. And that's relevant here because Kenneth Moser, through his telemarketing company, Marketing Support Systems, apparently made 47,000 of these robocalls over the course of two days. When he did that, he didn't include accurate caller ID information. He didn't want people to know that he was making these calls.

Why? The facts strongly suggest that Moser spoofed the caller ID information of a business rival with the intent to harm that rival. He wasn't simply trying to disassociate himself from the calls. If that was the case, he could have inserted random caller ID information. Instead, Moser chose to associate his business rival with these upsetting and false robocalls, which obviously would not be good for the rival's reputation. And indeed, that company bore the brunt of complaints from angry Californians who received these robocalls.

Today, we propose a forfeiture of \$9,997,750 on Moser for these apparently unlawful spoofed robocalls. This Notice of Apparent Liability is the latest, but certainly not the last, of our enforcement efforts to aggressively combat illegal robocalls and protect American consumers. Today's action is a great example of FCC staff's persistence to track down and bring illegal robocallers to justice.

And we are not alone. Thanks to the leadership of Senators John Thune and Ed Markey, and Representatives Frank Pallone and Greg Walden, it looks like additional help is on the way. Their new bill, which has already passed the House, would make a number of reforms. One of them would extend the statute of limitations, which would make it easier for our dedicated Enforcement Bureau staff to bring illegal robocallers to justice.

We are also working with our international partners to combat spoofed robocalls. Just this week, I held the first official cross-border call using the SHAKEN/STIR caller ID authentication framework with Ian Scott, Chairperson and CEO of the Canadian Radiotelevision and Telecommunications Commission. The implementation of SHAKEN/STIR will be a critical step to protect consumers from spoofed robocalls, and we will continue to work domestically and internationally on this important issue. Speaking of which, the end-of-the-year deadline for major carriers to implement SHAKEN/STIR is coming up. I've already directed staff to review the record and draft options for mandating the implementation of SHAKEN/STIR by rule. And if industry does not get the job done, I will not hesitate to call an FCC vote on new rules.

I want to thank Parul Desai, Lisa Gelb, Rosemary Harold, Shannon Lipp, Sonja Rifken, Kristi Thompson, and Shana Yates of the Enforcement Bureau; and Valerie Hill, Richard Mallen, and Bill Richardson of the Office of General Counsel for their tireless efforts to rein in the scourge of illegal robocalls and to protect all Americans.